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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/423,037	02/22/2000	DAVID MICHAEL HEERY	ASZD-P01-228	6259
28120	7590	12/23/2008		
ROPES & GRAY LLP PATENT DOCKETING 39/41 ONE INTERNATIONAL PLACE BOSTON, MA 02110-2624			EXAMINER DUNSTON, JENNIFER ANN	
			ART UNIT	PAPER NUMBER
			1636	
			MAIL DATE	DELIVERY MODE
			12/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

CONTINUATION SHEET

The amendment filed 12/10/2008 under 37 CFR 1.116 in reply to the final rejection has NOT been entered. The final Office action, mailed 10/16/2008, is maintained.

The proposed amendments raise new issues that would require further search and consideration. The proposed amendment to claim 1 alters the scope of the claimed NR box sequence. The claim has been amended to limit the genus of possible NR sequences to the sequence "XLXLLXXX." Further search and consideration would be required to address this new limitation.

With regard to Applicant's arguments directed to the rejections under 35 U.S.C. 112, first paragraph, all arguments are directed to the newly amended claims. As discussed above, the amendments have not been entered. Therefore, the arguments are moot and will not be addressed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Dunston whose telephone number is 571-272-2916. The examiner can normally be reached on M-F, 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached at 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 1636

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Jennifer Dunston, Ph.D.
Examiner
Art Unit 1636

/JD/

/Celine X Qian /
Primary Examiner, Art Unit 1636